## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

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IN THE MATTER OF: INVERNESS SECURITIES, LLC. )	FILE NO. 1000116
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### **NOTICE OF HEARING**

TO THE RESPONDENT: Inverness Securities, LLC.

(B/D #: 129914)

2000 Auburn Drive, Suite 440 Beachwood, Ohio 44122

You are hereby notified that pursuant to Section 11F of The Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 15<sup>th</sup> day of June, 2011 at the hour of 10:00 a.m. or as soon as possible thereafter, before James L. Kopecky Esq., or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order shall be entered which would prohibit Inverness Securities, LLC. (the "Respondent") from engaging in the business of selling or offering for sale securities in the State of Illinois and/or granting such other relief as may be authorized under the Act including but not limited to the imposition of a monetary fine in the maximum amount pursuant to Section 11.E(4) of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

- 1. That the Respondent is an entity which engages in the business of acting as a dealer in the offer and sale of securities to the general public.
- 2. That on March 10, 2010 the Respondent filed a Form BD application for registration as a dealer in the State of Illinois pursuant to Section 8 of the Act.
- 3. That on October 4, 2010 the Respondent requested to withdraw their application for registration as a dealer in the State of Illinois by filing a Form BDW/A (Broker Dealer Withdrawal of Application).

- 4. That in the course of the registration investigation, the Department learned that on December 12, 2007 and again on December 17, 2008, the Respondent effected transactions in the account of one (1) Illinois resident.
- 5. That Section 8.A of the Act provides, in pertinent part, except as otherwise provided, every dealer shall be registered as such with the Secretary of State.
- 6. That the activity described in paragraph four (4) above constitutes the activity of a dealer as defined in Section 2.7 of the Act.
- 7. That during all times relevant, the Respondent was not registered with the Secretary of State as a dealer pursuant to Section 8 of the Act.
- 8. That Section 12.A of the Act provides, <u>inter alia</u>, that it shall be a violation of the provisions of the Act for any person to offer or sell any security except in accordance with the provision of the Act.
- 9. That Section 12.C of the Act provides, <u>inter alia</u>, that it is a violation of the provisions of the Act for any person to act as a dealer, unless registered as such where such registration is required under the provisions of the Act.
- 10. That by virtue of the foregoing, the Respondent has committed a violation of Sections 12.A and 12.C of the Act.
- 11. That Section 11.E(3) of the Act provides that If the Secretary of State shall find that any person has engaged in the business of selling or offering for sale securities as a dealer without prior thereto and at the time thereof having complied with the registration filing requirements of this Act, the Secretary of State may by written order prohibit the person from engaging in the business of selling or offering for sale securities in this State.

12. That by virtue of the foregoing, the Respondent is subject to the entry of a written order which would prohibit it from engaging in the business of selling or offering for sale securities in this State.

You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 ILL. Adm. Code 130) (the "Rules"), to file an answer to the allegations outlined above within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

A copy of the Rules, promulgated under the Act and pertaining to Hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice.

Delivery of notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This 22nd day of March 2011.

Beese White Secretary of State State of Illinois

Attorney for the Secretary of State: Daniel A. Tunick Office of the Secretary of State Illinois Securities Department 69 West Washington Street, Suite 1220 Chicago, Illinois 60602 312 793 3384

Hearing Officer: James L. Kopecky 203 N. LaSalle Chicago, Illinois 60601

## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

) IN THE MATTER OF: JACQUELINE KAE CHILDRESS-MITCHELL )	FILE NO. 1100110
)	

#### NOTICE OF HEARING

**TO THE RESPONDENT**: Jacqueline Kae Childress-Mitchell (Crd#: 4433899)

5623 Lavender Ct.

Rolling Meadows, IL 60008

C/O PFS Investments Inc

Attn: Director of Compliance

3120 Breckinridge Blvd

Bldg 700

Duluth, GA 30099-0001

You are hereby notified that pursuant to Section 11.E of the Illinois Securities law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 W. Washington Street, Suite 1220, Chicago, Illinois 60602, on the 17th day of May 2011, at the hour of 9:00 a.m., or as soon as possible thereafter, before, Soula J. Spyropoulos, Esq. or such duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine if the registration of Respondent Jacqueline Kae Childress-Mitchell as a Salesperson will be subject to a revocation in accordance with 8.E(1)(o) of the Illinois Securities Law, as amended ("Act") and if the costs of the investigation and all reasonable expenses, including attorney's fees and witness fees shall be assessed, in accordance with Section 11.E(4) of the Act.

The grounds for such proposed action are as follows:

- 1. Respondent Jacqueline Kae Childress-Mitchell ("Childress-Mitchell") is a natural person with a last known address of 5623 Lavender Ct., Rolling Meadows, IL 60008.
- 2. Respondent is licensed by the Illinois Department of Securities, Secretary of State as a Salesperson of PFS Investments Inc.

#### COUNT I

# FAILURE TO PAY ANY TAX, PENALTY, OR INTEREST ADMINISTERD BY THE ILLINOIS DEPARTMENT OF REVENUE

- 3. Respondent failed to pay the final assessment of a tax administered by the Illinois Department of Revenue.
- 4. Previously, the Department of Revenue has sent Respondent a <u>Collection Action</u> and Notice of Intent of Suspension of Your Salesperson License or Investment Adviser License (or Both).
- 5. To date, the tax referenced in paragraph 4 remains unpaid.
- 6. That Section 8.E(1)(o) of the Act provides, inter alia, that the registration of an investment advisor representative or a salesperson may be suspended if the Secretary of State finds that such investment advisor representative or salesperson has failed to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of that tax Act are satisfied.
- 7. By virtue of the foregoing, Respondent registration as a registered salesperson is subject to a revocation.

You are further notified that pursuant to Section 130.1104 of the Rules and Regulations (14 111. Adm. Code 130) ("the rules"), you are required to file an answer to the allegations outlined above within thirty (30) days of the receipt of this notice. The answer and all other pleadings and motions must be filed with the Illinois Securities Department by addressing them to:

Maria Pavone Enforcement Attorney Illinois Department of Securities 69 West Washington, Suite 1220 Chicago, Illinois 60602

A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing and waives your right to a hearing. Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to appear shall constitute default. Unless the Respondent has upon due notice moved for and obtained a continuance.

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The Rules promulgated under the Act and pertaining to Hearings held by the office of the Secretary of State, Securities Department may be viewed online at <a href="http://www.cyberdriveillinois.com/departments/lawrules.html">http://www.cyberdriveillinois.com/departments/lawrules.html</a>. Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This 18th day of March 2011.

JESSE WHITE

Secretary of State

State of Illinois

Attorney for the Secretary of State:

Maria A. Pavone

Office of the Secretary of State

Illinois Securities Department

69 West Washington Street, Suite 1220

Telephone 312-793-3384

Hearing Officer:

Soula Spyropoulos

4125 West Lunt Street

Lincolnwood, Illinois 60712